

[Mr. C. Natesa Mudaliyar]

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Raju said, what is the use of including the ordinary pneumonia and harassing people where they do not have adequate medical help and aid to diagnose the disease even, especially in villages.

Mr. A. RANGANATHA MUDALIYAR :—“ Sir, we do not seem to have begun our work auspiciously to-day. For, Sir, with regard to the first item of the agenda, we have adjourned it before you came, and then, with regard to other matters also, we had to adjourn almost every one to a future date. Even in this case, Sir, we may adjourn the matter so that the Chief Minister may, in the meanwhile, consult his medical experts.”

The hon. the PRESIDENT :—“ The motion having been made already and an amendment having also been moved, I think the best course would be for both hon. Members, the Chief Minister and the hon. Member Dr. Natesan, to withdraw their motions. Dr. Natesan will probably withdraw his amendment.”

Rao Bahadur C. NATESA MUDALIYAR :—“ I shall withdraw my amendment if I have the right of moving a similar amendment if the Chief Minister comes back with the same motion.”

The hon. the PRESIDENT :—“ The hon. Member's right to move amendments is inherent in him.” (Laughter.)

Rao Bahadur C. NATESA MUDALIYAR :—“ I beg leave to withdraw my amendment.”

The amendment was by leave of the House withdrawn.

The motion by the hon. the Raja of Panagal was then by leave of the House withdrawn.

The hon. the PRESIDENT :—“ Now let us make the position clear. There is nothing before the House. The whole thing will be carefully examined and a fresh motion tabled by the hon. the Chief Minister.”

Mr. C. RAMALINGA REDDI :—“ Especially when we are dealing with dangerous diseases, Sir.” (Laughter.)

VIII

MOTION FOR REAPPROPRIATION OF FUNDS FROM GRANT XVII EDUCATION—NON-EUROPEAN—TRANSFERRED TO GRANT XVI. EUROPEAN EDUCATION—RESERVED.

The hon. Mr. A. R. KNAPP :—“ I beg to move the motion standing against my name—

12 noon. *That the provision of Rs. 66,480 under ‘ Grant XVII. Education (Non-European)—Transferred ’ for charges connected with the Reformatory School, Chingleput, and the Certified School for Boys at Ranipet may be reappropriated to ‘ Grant XVI. European Education—Reserved.’*

“ This, I am glad to say, is a matter of mere formality and not as complicated as the other proposals which have been taken up this morning. At the end of April last the Accountant-General called attention to the fact that in entering the charges for the Reformatory School under the Transferred side of the budget we had made a mistake: I do not know who made the mistake, but the mistake has been made. He informed us that we should make the necessary alterations in respect of the current year's budget. All

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that we have to do is to take away Rs. 66,480 from the Transferred budget and show it in the Reserved portion. The reason for this is that the Reformatory and Certified schools fall under the Reserved head."

The hon. Rao Bahadur A. P. PATRO :—" I second the motion."

Mr. S. SATYAMURTI :—" Sir, I tried my very best to follow the hon. the Mover. I do not know if I have caught him aright. But if the Motion is only a matter of accounts, or an audit matter, it may be alright. The Motion, as it is, simply wants that the amount now standing in the budget on the Transferred side should be taken over to the Reserved side. I should like to know how it happens. Is any amount left without being spent, or is any more money required for the European education? Unless the information is given, I am afraid I shall have to vote against the Motion."

The hon. Mr. A. R. KNAPP :—" The budget in respect of these grants is divided into two heads, i.e., 'XVI. European Education—Reserved' and 'XVII. Education—Non-European—Transferred'. These descriptions which were given to us by higher financial authority are not exactly accurate, because the Reserved part of education does not consist solely of European education any more than I think the Transferred half necessarily consists of Non-European education. The former covers European education proper as well as anything else in the Education budget which is dealt with by the Member and not by the Minister. The Member and not the Minister deals with Reformatories. All that we now do is to ask that the money which has been put by mistake under the Minister's part of the budget should be put under the Member's part of the budget. It is not going to be used for European education in the strict sense. It is going to be utilized exactly for the purpose for which it was intended by the old House. We are now told that it is in the wrong place in the budget and I am now moving to put it in the right place."

Mr. C. RAMALINGA REDDI :—" I think, in view of the explanation given, there is no need to oppose this Motion."

Mr. B. Venkitaratnam asked in Telugu whether the Education Minister agreed with the explanation given by the hon. the Home Member.

The hon. Rao Bahadur A. P. PATRO :—" The Education Minister agrees with the explanation. It is only a change of place in the account."

The hon. the Minister for Education then proceeded to explain this in Telugu, in the course of which . . .

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupted and said*) :—" I rise to a point of order, Sir. The question is whether the hon. the Minister can speak in Telugu."

The RAJA OF RAMNAD (*from the Chair*) :—" He can do so as he has to explain to a Member."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Speeches in the House are governed by rules. I think a Member can speak in Telugu only if he does not know English well."

The RAJA OF RAMNAD (*from the Chair*) :—" If he has to express himself, he should do it in English. But here he is answering a particular hon. Member who has put him a question in Telugu."

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The hon. Rao Bahadur A. P. PATRO :—"It is not a matter of taking away money from the Transferred Education to the Reserved Education at all. As has been explained by the hon. the Home Member, it is only a change of head. Actually the Reformatories are administered by the Reserved Department. It is only a question of adjustment of accounts."

The RAJA OF RAMNAD (*from the Chair*) :—"So far as I understand, there is no rule prohibiting Members of Government from speaking in vernacular with a view to convince Members who know only vernacular."

Diwan Bahadur M. KRISHNAN NAYAR :—"Rule 14 of the Legislative Council Rules says :

'The business of the Council shall be transacted in English, but any Member who is not fluent in English may address the Council in any recognized vernacular of the Province, provided that the President may call on any Member to speak in any language in which he is known to be proficient.'

"Under the correct construction of this rule, the hon. Mr. Patro, who is fluent in English, cannot speak in Telugu."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I only say that the rules are defective and under the rules he cannot speak in Telugu."

The RAJA OF RAMNAD (*from the Chair*) :—"I think the hon. Member is at liberty to move for the amendment of the rules if he needs it. But I do not think there is any prohibitory rule that a Member of Government or others should not talk in any other language."

Diwan Bahadur M. KRISHNAN NAYAR :—"The rule says :

'The business shall be transacted in English.'

Mr. S. SATYAMURTI :—"I rise to a point of order. We have already heard the Minister in English and Telugu. The necessity of going into the interpretation of the rules does not arise."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"As this is a matter of some importance, and as this question may be raised more than once in the course of various debates, I should like to have a definite ruling on this matter. Under rule 14 of the Legislative Council Rules as expounded by the hon. Member from the West Coast, the business of the Council should be transacted in English. But any Member who is not fluent in English may address the Council in any recognized vernacular of the province. Therefore, two things follow, viz., the business has to be transacted in English as the rule stands. I do not say that the rules may not be altered. But it is a condition precedent to a person speaking in any other language than English that he is not fluent in English. There is a proviso to that rule which says :

'Provided that the President may call on any Member to speak in any language in which he is known to be proficient.'

"I take it that the meaning of this second portion of the rule is that, supposing a person is proficient in Tamil, Telugu or Kanarese, the President may make a choice as to in which language he should speak. I think that is the scope of the rule. As the rule has to be interpreted and often invoked, I want a ruling from the Chair on this point."

Mr. S. SATYAMURTI :—"The hon. the Law Member excluded English when he interpreted the proviso. As I read the rule, it means this : Normally

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the proceedings shall be in English. But any Member who is not fluent in English may address the Council in any other language as Tamil, Telugu, Kanarese and Malayalam (cries of 'Urdu' from the Muhammadan block). I thought Urdu was a classical language. But I shall include it if you want. My submission is that the proviso which runs thus :

' Provided that the President may call on any Member to speak in any language in which he is known to be proficient '

also includes English. A particular hon. Member may be proficient in English and Tamil, or English and Telugu, or English, Tamil and Telugu. I suggest to this House that to meet the contingency where one Member has got to be answered by another Member and if the answerer knows the language of the questioner it is perfectly competent to the Chair to call upon the Member to speak in the vernacular, provided the Chair is satisfied that the questioner is not proficient in English. I do not think that the interpretation put upon the words 'in any language' by the hon. the Law Member is borne out by the rules. I therefore suggest not only as a matter of interpretation, but as a matter of intent, that it certainly means that the Member of the House who knows both English and Tamil or some other language may be allowed to speak in any language provided the President allows him to do so."

The RAJA OF RAMNAD (*from the Chair*):—"I think the matter ought to be further considered and a ruling given. For our present purpose I think the question does not arise at all inasmuch as the hon. Mr. Patro did not address the House, but addressed the individual member. He spoke to the other hon. Member in Telugu as he could not understand English. The President can permit any member to speak in any language in which he is known to be proficient. I take it that the hon. Mr. Patro is proficient in Telugu also. Therefore, I think, without committing myself, it will be advantageous to proceed with the work and take the sense of the House in regard to the motion of the hon. the Home Member."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I bow to your tentative ruling."

The motion was put and carried and the appropriation was allowed.

IX

A BILL FURTHER TO AMEND THE COURT FEES ACT, 1870, IN ITS APPLICATION TO THE PRESIDENCY OF MADRAS.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I desire to introduce this Bill further to amend the Court Fees Act in its application to the Presidency of Madras, and I move that it be read in Council. In so doing, I think it would be necessary to make one or two remarks of a preliminary character. Hon. Members of this House will be aware that this Court Fees Act has been recently amended. I think two opinions have been held as to the effect of that amendment. While not desiring to commit either Government collectively, or myself or the hon. the Finance Member individually to any particular course of action, I think it may be found necessary very shortly to go into the whole question of the rate of fees to be levied under the Court Fees Act. It has been found that the objects which the framers of the amendment had